

FORM PTO-1390
(REV 5-93)

US DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO.
2000_1081ATRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 USC 371U.S. APPLICATION NO.
(if known, see 37 CFR 1.51)
NEW 09/601655International Application No.
PCT/JP99/00541International Filing Date
February 8, 1999Priority Date Claimed
February 6, 1998

Title of Invention

NOVEL ANTIFUNGAL COMPOUND AND PROCESS FOR PRODUCING THE SAME

Applicant(s) For DO/EO/US: Osamu SAKANAKA; Koichi MITOMO; Takayoshi TAMURA; Yasushi MURAI; Katsuharu IINUMA; Takeshi TERAOKA; Kikuko KUZUHARA; Haruki MIKOSHIBA; and Makoto TANIGUCHI

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 USC 371.
 2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
 3. ☒ This is an express request to begin national examination procedures (35 USC 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 USC 371(b) and PCT Articles 22 and 39(1).
 4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
 5. ☒ A copy of the International Application as filed (35 USC 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
 6. ☒ A translation of the International Application into English (35 USC 371(c)(2)).
 7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 USC 371(c)(3)).
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
 8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 USC 371(c)(3)).
 9. ☒ An executed oath or declaration of the inventor(s) (35 USC 371(c)(4)).
 10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 USC 371(c)(5)).
- Items 11. to 16. below concern other document(s) or information included:
11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
 12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
 13. ☐ A **FIRST** preliminary amendment.
 - ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
 14. ☐ A substitute specification.
 15. ☐ A change of power of attorney and/or address letter.
 16. ☒ Other items or information: (a) Receipt of Deposit for FERM BP-6446; (b) PCT Request (in Japanese); (c) Forms PCT/IB/301, 304, 308, 332 and 345; (d) International Search Report; (e) Demand for International Preliminary Examination; (f) First page of published International Application (WO 99/40081); and (g) International Preliminary Examination Report.

U.S. APPLICATION NO. 09/601655 INTERNATIONAL APPLICATION NO. 09/601655 NEW PCT/JP99/00541				ATTORNEY DOCKET NO. 2000 1081A	
17. [X] The following fees are submitted				CALCULATIONS	PTO USE ONLY
BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):					
[X] Search Report has been prepared by the EPO or JPO \$840.00					
[] International preliminary examination fee paid to USPTO (37 CFR 1.482) \$670.00					
[] No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$690.00					
[] Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$970.00					
[] International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-33(4) \$ 96.00					
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$840.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
Claims	Number Filed	Number Extra	Rate		
Total Claims	36 - 20 =	16	X \$18.00	\$288.88	
Independent Claims	1 - 3 =	0	X \$78.00	\$	
Multiple dependent claim(s) (if applicable)			+ \$260.00	\$260.00	
TOTAL OF ABOVE CALCULATIONS =				\$1,388.00	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28)				\$	
SUBTOTAL =				\$1,388.00	
Processing fee of \$130.00 for furnishing the English translation later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	\$
TOTAL NATIONAL FEE =				\$1,388.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (\$40 per property).				+	\$40.00
TOTAL FEES ENCLOSED =				\$1,428.00	
				Amount to be refunded:	\$
				charged:	\$

- a. ☒ A check in the amount of \$1,428.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 23-0975 in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 23-0975. A duplicate copy of this sheet is enclosed.

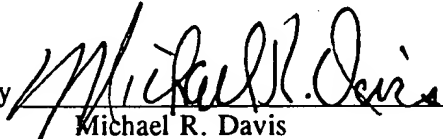
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

WENDEROTH, LIND & PONACK
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By


Michael R. Davis

Registration No. 25,134

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DELINQUENCY IN THE
FEE FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975.

August 4, 2000
MRD/sls

Check No. 39239

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